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Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: Advisory Board on Disarmament Matters

Work of the Advisory Board on Disarmament Matters

Report of the Secretary-General

I. Introduction

1. The present report to the General Assembly on the work of the thirtieth and thirty-first sessions of the Advisory Board on Disarmament Matters, held in Geneva from 16 to 18 March 1998 and in New York from 29 June to 1 July 1998, respectively, is submitted pursuant to Assembly resolution 38/183 O of 20 December 1983. The meetings were chaired by Mr. André Erdös, Permanent Representative of Hungary to the United Nations.

2. The Secretary-General met with the Board at its thirtieth session on 17 March 1998 to share his views on the priority concerns of the international community in the field of nuclear, conventional and regional disarmament, and on how the United Nations contributes to resolving them. The Secretary-General asked Board members for their reactions to the disarmament aspects of the reform programme and the restructuring of the Department. At that session, the Under-Secretary-General for Disarmament Affairs outlined the plans under way for the reorganization of the re-established Department for Disarmament Affairs.**

3. The Under-Secretary-General posed three questions to the Board at its thirty-first session: (a) what more can the Secretary-General or the United Nations do in the wake of the nuclear tests by India and Pakistan in May 1998?; (b) what can be done to help to ensure that the ground is better prepared for the third session of the Preparatory Committee in 1999 for the 2000 Review Conference of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons?; (c) what should be done to secure agreement on holding the fourth special session on disarmament in the light of the inability of the Disarmament Commission, after its third and final year of consideration, to reach agreement on its objectives and agenda? He also requested the Board to review its mandate and functioning with a view to improving its own effectiveness as an advisory body.

4. Also at its thirty-first session, on the basis of discussion papers presented by its members, the Board examined three topics of acute interest to multilateral disarmament efforts: a new agenda for disarmament, new technologies and their impact on disarmament, and the costs of disarmament.

5. As is customary, the Board met with representatives of the Special NGO Committee on Disarmament (Geneva) at its thirtieth session and of the NGO Committee on Disarmament (New York) at its thirty-first session.

* A/53/150.

** The Department for Disarmament Affairs was re-established on 1 January 1998, and an organizational structure was promulgated in ST/SGB/1998/10 of 20 May 1998.

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6. Below are some of the salient points of the Board's deliberations on the above-mentioned items and some of the specific recommendations it relayed to the Secretary-General.

A. Nuclear non-proliferation and disarmament, and other weapons of mass destruction

7. *What more can the Secretary-General or the United Nations do in the wake of the nuclear tests by India and Pakistan?* The Board overwhelmingly believed – with a notable reservation by one member that the question should be addressed in the context of global nuclear disarmament – that the Secretary-General was pursuing the appropriate course with respect to the security situation in South Asia and encouraged him to continue consulting the States in the region and promoting a dialogue between India and Pakistan. Two members maintained that pressing India and Pakistan to halt their nuclear programmes through economic sanctions or other kinds of coercive measures would be ineffective. Many members stressed the importance of dealing with the nuclear issue as a part of the overall regional security issue. Some members also believed that a dialogue between India and China should be encouraged.

8. Most members held the view that in order for non-proliferation efforts in South Asia and elsewhere to be effective, there had to be much greater efforts on the part of the nuclear-weapon States to speed up the process of nuclear disarmament, with one member urging the Secretary-General to make more focused efforts to persuade nuclear-weapon States in that direction. Indeed, one member suggested that nuclear-weapon States could make the same commitment that India and Pakistan have made to keep their programmes "at the lowest possible levels". It was mentioned that the tests by India and Pakistan offered an opportunity to promote transparency of existing nuclear arsenals and doctrines. A number of members expressed the view that, whatever the international community did in response to the tests, it should not reward or be perceived as rewarding behaviour contrary to the non-proliferation norms subscribed to by the overwhelming majority of States. The Secretary-General was advised to continue to urge India and Pakistan to agree to negotiations in the Conference on Disarmament on a cut-off of fissile material and to encourage nuclear disarmament measures for the nuclear-weapon States, such as the de-alerting and demating of nuclear warheads and their delivery vehicles. Such measures could also be taken in South Asia.

9. Members stressed that it would be appropriate for the Secretary-General, as depositary of the Comprehensive Nuclear-Test-Ban Treaty, to explore the modalities for India and Pakistan to adhere to it. Several members noted that both countries might be urged to turn their current de facto moratoriums on testing into a legal prohibition by adhering to the Treaty and that, if they did so before the Conference of States parties to the Treaty in 1999, they could participate fully in that meeting. It was also crucial that the three nuclear-weapon States that had not yet ratified the Treaty set a positive example. The issue of halting subcritical tests as an incentive for countries to join the Treaty was also raised by some members.

10. Members acknowledged that the international community faced acute difficulties over the relationship between India, Pakistan and the Treaty on the Non-Proliferation of Nuclear Weapons. On the one hand, States parties to the Treaty do not wish to recognize the two countries as nuclear-weapon States, as this would undermine the assumption upon which the Treaty and the existing non-proliferation regime is based, namely that there would and should be no further nuclear-weapon States. On the other hand, urging them to accede to the Treaty as non-nuclear-weapon States is currently unrealistic, as, *inter alia*, the perceptions of India and Pakistan that the Treaty is discriminatory have not changed.

11. Some members stressed that the nuclear tests by India and Pakistan would have repercussions on security in the Middle East and that the United Nations should be attentive to the situation in that region.

12. It was suggested that the United Nations could play a role in the framework of the regular meeting of the "Kathmandu process" (a function of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific) in 1999 in an effort to find ways to build regional confidence and reduce nuclear risks. It was also pointed out that the Association of South East Asian Nations could play a useful role.

13. *How can the Secretary-General help to ensure that the ground is better prepared for the third session of the Preparatory Committee, in 1999, for the 2000 Review Conference of the Parties to the Non-Proliferation Treaty?* Concerned about the acute challenge facing the Treaty because of the nuclear testing in South Asia and the failure of the Preparatory Committee to reach any agreement at its second session, members emphasized that the current stalemate in nuclear disarmament efforts needed to be "jump-started" in some way. They recognized that progress had been made in nuclear disarmament since the end of the

cold war, with some noting what had been accomplished and others pointing to the extreme dangers still facing the international community. In order to break the deadlock, one member suggested the convening of an international conference devoted solely to the issue of nuclear disarmament. Other members, however, felt that the issue of nuclear disarmament could not be dealt with in isolation.

14. Several suggestions were made about what the Secretary-General could do to strengthen the preparatory process: as a first priority, underlining on appropriate occasions that the processes of nuclear disarmament and of nuclear non-proliferation must run in parallel and stressing, in contacts with the five permanent members of the Security Council, the urgent need to keep the nuclear disarmament agenda moving in order to reinforce the non-proliferation regime.

15. The Secretary-General was also advised (a) to underline at every appropriate opportunity that the nuclear-weapon States need to take seriously the strongly held view that the resolution on the Middle East is an integral part of the package agreed to at the 1995 Review and Extension Conference of the Non-Proliferation Treaty; (b) to stress the importance of implementing all the elements of the decision adopted on principles and objectives for nuclear non-proliferation and disarmament, notably the granting of negative security assurances to non-nuclear-weapon States in a legally binding form and the creation of new nuclear-weapon-free zones; and (c) to point out that all States need to work towards commencing at an early date negotiations on a cut-off of the production of fissile material for weapons purposes.

16. It was pointed out that the Non-Proliferation Treaty contained no provisions to enable its States parties to hold discussions rapidly on situations threatening the nuclear non-proliferation regime. Consequently, it was suggested that the Secretary-General consult the depositaries with a view to including this matter in the agenda of a future meeting of the parties. It was also proposed that the United Nations could facilitate consultations among the parties prior to the third session of the Preparatory Committee for the 2000 Review Conference so that solutions for disagreements such as those that arose at the second session could be worked out beforehand.

17. In discussions related more generally to weapons of mass destruction, the Board emphasized the importance of the role of the United Nations in consolidating existing disarmament regimes and in helping to universalize them. Special mention was made of the strengthening of the Non-Proliferation Treaty, the Comprehensive Nuclear-Test-Ban Treaty, the Chemical Weapons Convention and the Biological Weapons Convention regimes. Other issues to which the Board considered the United Nations should pay more attention included the burgeoning costs of disarmament and conversion; activities related to the handling of large quantities of plutonium and other fissile materials being released from dismantled nuclear weapons and civilian reactors; limiting, controlling and removing tactical nuclear weapons from the territory of non-nuclear-weapon States; the narrowing gap between the effects of weapons of mass destruction and increasingly lethal conventional weapons; and the problematic dual-use technologies, such as space satellites and communications and computer systems.

B. Conventional disarmament, in particular practical disarmament measures and small arms

18. While part of the discussions of the Board was devoted to the new dangers emerging in the global security environment as a result of policies and practices adopted recently in respect of conventional weapons and to the worrisome accumulation of conventional weapons that could ultimately escalate into a nuclear conflict, most of the discussion revolved around the great potential that the Board sensed was developing for the United Nations to catalyze national and international efforts to control the proliferation of small arms and to assist in post-conflict peace consolidation in the areas of disarmament, demobilization and re-integration of former combatants.

19. At the thirtieth session, the United Nations Institute for Disarmament Research (UNIDIR) organized a discussion on the subject of small arms. The Chairman of the Panel of Governmental Experts on Small Arms, Mr. Mitsuro Donowaki, pointed to the need to disseminate the report of the Panel (A/52/298 of 27 August 1997) widely to policy makers, government officials, researchers and the public. He stressed the need to raise further awareness that, though most current conflicts may be of an internal nature, the market for small arms is global, and curbing excessive small arms proliferation needs a global response.

20. At the thirty-first session, Mr. Donowaki, who is also the Chairman of the Panel of Governmental Experts following up the recommendations of the 1997 report to the General Assembly, underlined that the recommendation to convene an international conference on illicit trafficking in small arms in the year 2000, which Switzerland had offered to host, was gaining a good deal of support. It was suggested

that the Board might form a subgroup to advise the Secretary-General during the lead-up to that conference.

21. The Deputy Director of UNIDIR, who is coordinating the study group on ammunition and explosives, emphasized that the use and trade of small arms were supported by massive transfers of ammunition. Two senior researchers of the Institute sketched out the possibilities of greater control of illicit trafficking in West Africa and Latin America. The Board strongly supported the Mali initiative for a moratorium on cross-border arms flows in western Africa and the efforts being exerted by various United Nations bodies to promote it, and it encouraged further dialogue between countries in the region and some of the supplier countries.

22. A member stressed that United Nations assistance in the establishment of a moratorium on small arms transfers in western Africa was critical to its success and should be ensured in the follow-up implementation process as well. A call was reiterated for the United Nations to sponsor an international conference of donors and recipient countries to give full effect to the moratorium once it was announced. It was also proposed that UNIDIR do further research about the possibility of extending the moratorium to eastern Africa and introducing similar arrangements in Central America.

23. The general view of the Board was that, global attention notwithstanding, the solutions to the problem of the excessive licit and illicit flow of small arms lay at the regional or subregional levels, and that greater transparency in licit trade in small arms was required on the part of both supplier and recipient countries. In that framework, the United Nations could serve as a catalyst and promoter of greater regional and subregional cooperation in integrating security and development. The need for the harmonization of national legislation to that effect was underlined by some members. It was suggested that the United Nations could develop an informal list of areas in special situations that could benefit from such assistance.

24. The Board welcomed the initiative announced in June 1998 for the coordinating action on small arms, as it highlighted the link between security/disarmament and development and met the need for coordination in the United Nations with respect to small arms. The closer coordination envisaged with the United Nations Development Programme was highly appreciated, and it was suggested that UNIDIR be more closely involved in the coordinating action on small arms initiative.

25. A suggestion was made that the United Nations could attempt to establish modes of communication with international companies, for example, to establish mutually agreed-upon guidelines on arms transfers, similar to those through which chemical manufacturers were consulted and their views taken into consideration during the negotiations on the Chemical Weapons Convention in the Conference on Disarmament.

C. The fourth special session on disarmament

26. *What should be done to secure agreement on holding the fourth special session on disarmament in the light of the inability of the Disarmament Commission, after its third and final year of consideration, to reach agreement on its objectives and agenda?* It was noted that the call for the convening of the session was a response to the current stalemate in the nuclear disarmament field. In fact, some members held the view that the tests by India and Pakistan highlighted the need for the session. The Board was not as divided as in previous sessions concerning the convening of the session. Even those with reservations in the past took the view that there was a strong need for the international community to reassess the situation in disarmament – for a new vision of the priorities, objectives and institutional arrangements for multilateral disarmament. It felt that the session could serve to begin, if not necessarily conclude, that debate. That should not, however, conceal continuing disagreements among Board members on the objectives and agenda of the session.

27. In a related matter, the Board was informed of the proposal by President Hosni Mubarak of Egypt, made soon after the tests on the subcontinent, to convene a conference to explore ways to achieve a world free of all weapons of mass destruction in phases over a 20-year time-frame. Some members thought that such a conference might be one way out of the stalemate in convening a new special session on disarmament as well as in negotiating nuclear disarmament in the Conference on Disarmament. In this context, another member recalled the Programme for Disarmament presented by Prime Minister Rajiv Gandhi of India at the third special session on disarmament in 1988.

D. Re-establishment and reorganization of the Department for Disarmament Affairs

28. There was great satisfaction expressed by the Board at the re-establishment of the Department for Disarmament Affairs, as it reaffirmed the centrality of the United Nations in the pursuit of global disarmament and security. However,

it was also noted that, to be effective, the Department would have to be allocated more human and material resources.

29. The Board commended the plans to structure the Department into five branches dealing with weapons of mass destruction; conventional arms; regional disarmament; monitoring, database and information; and the Geneva disarmament branch. It welcomed the reactivation of the United Nations regional activities, particularly in Africa and Latin America and the Caribbean. In its view, favourable conditions exist for regional disarmament and conflict resolution initiatives. The Board held the view that every effort should be made by Member States to encourage and support such initiatives.

30. As to machinery, the general view of the Board was that the overall architecture of multilateral disarmament machinery was basically sound. The underpinning concept – a process leading from the mobilization of world attention by the adoption of resolutions, through more focused debate on specific issues, to the eventual negotiation of treaties in the multilateral negotiating body – remained valid. Its functioning could, however, be made more effective, though related changes might need to be revalidated by the fourth special session on disarmament. No member questioned the value of the Conference on Disarmament as the primary tool of the international community for the negotiation of disarmament agreements. It was stressed, however, that the deadlock in the Conference was due to a crisis in confidence or lack of trust. Some members held the view that the stalemate did not come from the structure or methods of the Conference but was due to the current overall strategic relationship among major countries. Others pointed to the manner in which disarmament-related treaties, such as the Non-Proliferation Treaty and the Comprehensive Nuclear-Test-Ban Treaty, had been negotiated and brought forward for signature, which they said fostered a climate of mistrust.

E. New agenda for disarmament

31. The item entitled "New agenda for disarmament" was considered by the Board at its thirty-first session in order to advise the Secretary-General on future weapons-related threats and action that could be taken to prevent them. A discussion paper on the subject, prepared by one of the members, recommended the development of a long-term multidimensional strategy to achieve a sustainable nuclear-weapon-free world, which would take into account the full complexity of the issues and require the cooperation of the nuclear-weapon States. It also called for a short-term strategy that would focus on consolidating existing agreements and actions to reduce nuclear-weapon stockpiles, implementing measures to reduce the risks of inadvertent nuclear war, and dividing the elements of the multidimensional strategy into a number of phases, with indicative time periods for completion.

32. Several members pointed out that the "new agenda" should encompass other weapons of mass destruction and all aspects of conventional weapons as well. Other issues raised were the control and elimination of substrategic, tactical nuclear weapons; strategies to handle the risks of accidental or unauthorized use of nuclear materials; the growing technological asymmetry among the five permanent members of the Security Council, with adverse consequences for international security, such as in the field of anti-ballistic missile defence, and the creation of a culture of non-proliferation and disarmament through education. It was only possible to begin a debate on these issues, and the Board agreed to keep this item on its agenda.

F. New technologies and their impact on disarmament

33. The Board recognized the threat posed by rapid technological innovation in future warfare and was keen on pursuing some of the consequent policy implications for the United Nations system. A discussion paper on the subject, prepared by one of the members, described some of those aspects through the examples of information warfare, the use of satellite technology, and laser technology as applied to defence research. It was suggested that five main questions needed to be addressed: Who are the actors? What are the potential new weapons? What form will warfare take? What are the targets? What will be the mechanisms for controlling the development of new technologies for warfare and mitigating their effects?

34. The Board decided that it should continue to be seized of this item. It was also proposed that UNIDIR conduct research in conjunction with existing non-United Nations expert groups. In addition, it was suggested that the issue be addressed at the fourth special session on disarmament and that, at a later stage, the General Assembly consider the establishment of a special group of governmental experts to conduct an in-depth study on the impact of new technologies on disarmament.

G. Costs of disarmament

35. A discussion was held on the issue of the costs of disarmament, particularly in connection with the implementation of obligations incurred through agreements, conventions and treaties. A discussion paper on the subject, presented by one of the members, highlighted the serious difficulties faced by certain States and by the international community with respect to funding elaborate verification mechanisms, to fulfilling cost-intensive treaty obligations and to ensuring membership in relevant international organizations. It cited the example of the Russian Federation's challenges in dismantling conventional weapons under the Treaty on Conventional Armed Forces in Europe, in disassembling strategic nuclear weapons and in disposing of fissile material under the START Treaty, as well as in destroying stocks of chemical weapons agents under the Chemical Weapons Convention.

36. The discussion that ensued demonstrated that the issue was considered important for the viability of existing arms control agreements and for the negotiation of future agreements. The views expressed by members, however, reflected the divide in the world community between donor and recipient countries. In this connection, some members emphasized that the United Nations and the international community should limit their responsibility to making appeals for support from donor countries and to calling upon States parties to disarmament treaties for help. The Organization should not be responsible for meeting the costs of disarmament programmes. Each country or party to a disarmament agreement was first and foremost responsible for addressing its own cost problems. Other members stressed, however, that it would be in the best interest of the "global village" to assist other countries in their disarmament endeavours.

37. Some members welcomed the work planned by UNIDIR on the subject of the costs of disarmament, while others questioned the need for such a study, whose objectives and potential benefits were not clear.

H. Improving the mandate and functioning of the Advisory Board

1. Mandate

38. Board members reaffirmed the seriousness with which they took their task of offering relevant and timely advice on matters within the area of arms limitation and disarmament. It was suggested that the Board take a more proactive and result-oriented approach by formulating its advice in terms of specific recommendations to the Secretary-General. The Board recognized that its function of giving advice on aspects of studies carried out under the auspices of the United Nations, which was a part of its existing mandate, appeared to have become subsumed under the mandate's advisory aspect. The Board held inconclusive discussions on a formal change in its mandate to reflect the evolution in its work. The wish was nevertheless expressed to keep the matter under review for the future.

39. The Board reaffirmed its role as the Board of Trustees of UNIDIR. It suggested specific ways to strengthen that role, notably by being of assistance to the Director of the Institute in developing its publications programme and in fund-raising.

40. The Board considered improving its function of advising the Secretary-General on the implementation of the United Nations Disarmament Information Programme by extending the base of consultations with non-governmental actors to include other categories of civil society beyond the community of non-governmental organizations (NGOs), such as trade unions and the business sector. Not all members, however, viewed such an approach as practical or realistic.

2. Composition

41. The Board suggested that, in future appointments, the Secretary-General should continue to give due regard to the principle of geographic representation, and that an additional effort at gender balance was necessary. Most members felt that the current size of the Board was appropriate.

3. Agenda and work

42. All members underlined the need for the Board's future sessions to focus on specific items of concern to deepen reflection on a particular subject. It was suggested that, in order to prepare future sessions better, various members gather together between sessions in order to prepare consideration of specific items. It was also proposed that, if feasible or appropriate, UNIDIR could assist in that preparation.

43. Proposals were made to establish subgroups within the Board on a new agenda for weapons of mass destruction and on small arms. Some members cautioned, however, that subgroups should be of an ad hoc and non-autonomous character, their mandates clearly defined and their composition open-ended. It was also suggested that the Director of UNIDIR could chair the subgroup on a new agenda for weapons of mass destruction.

44. Board members agreed to take more advantage of the new communications potential – electronic or otherwise – to remain in contact with each other, the Chairman, the Department for Disarmament Affairs and UNIDIR with a view to sharing their opinions on important developments relevant to the mandate of the Board.

45. It was suggested once again that the United Nations take advantage of the disarmament expertise of Board members and request them, as appropriate, to serve on various United Nations missions and assignments. Members also agreed that they could serve as links between the Department for Disarmament Affairs and academic institutions or other organizations.

4. Sessions of the Board

46. The Board reaffirmed that, to be effective, it was best to meet twice a year. Those sessions could be of three days' duration, but some flexibility was called for in that respect, some members arguing for sessions of a full working week. Although the Board agreed that it was appropriate to hold one meeting in New York, some members underlined the importance of holding the other meeting in Geneva, where UNIDIR had its offices. In addition, to foster focused discussions, the Board agreed that it could meet in an informal residential-type environment at little, if any, additional cost to the United Nations. It also agreed that it could meet in the States of any of its members, if invited to do so.

II. Meeting with representatives of the Special NGO Committee on Disarmament (Geneva) and the NGO Committee on Disarmament (New York)

47. At its thirtieth session, the Board met with representatives of the Special NGO Committee on Disarmament (Geneva) to discuss their concerns. The Committee representatives welcomed the upgrading of disarmament in the United Nations Secretariat and looked forward to forging new ways to collaborate with the re-established Department for Disarmament Affairs in all its substantive areas, and in "marketing" disarmament to the public. They pointed out that a clear illustration of the growing importance of civil society in the international arena had been the Ottawa process on anti-personnel landmines. An area ripe for greater collaboration, where various NGO actors could be of great assistance, was that of curbing small arms. The NGO representatives registered with the Board their deep concern at the impasse in nuclear disarmament negotiations. They stressed that Abolition 2000, an NGO with over 1,000 participating organizations, would be working tirelessly towards the goal of eliminating nuclear weapons. They also expressed appreciation for the enhanced mechanisms for NGO participation in the preparatory process for the next review of the Non-Proliferation Treaty.

48. At the thirty-first session, officials of the NGO Committee on Disarmament (New York) selected Mr. Jonathan Schell, author of *The Gift of Time*, to address the Board on their behalf. Mr. Schell stressed that the nuclear abolitionist movement in civil society was growing steadily among civil, religious and professional groups. In addition, there existed a real possibility that the political will for definitive action on total nuclear disarmament might be gathering momentum at the governmental level. He emphasized that the NGO community condemned the tests by India and Pakistan, but, at the same time, underscored the responsibility of the nuclear-weapon States to declare their commitment to nuclear disarmament and to take concrete measures now that the cold war was over and there was no longer an enemy.

III. Future work of the Board

49. Several suggestions were made for the future work of the Board. The more focused format adopted at the thirty-first session was welcomed. Members expressed appreciation for the specific questions posed by the Under-Secretary-General, which helped the Board to arrive at sounder recommendations for the Secretary-General's consideration. It was suggested that questions could be presented to the members well in advance of the meetings. The Board considered that the discussions at that session were also more concentrated because of the preparation of papers on special topics. However, it believed that the number of topics should be kept reasonably low on future agendas to allow time for more in-depth deliberation. The Board also reiterated that, on certain highly specialized subjects, such as new technologies, it would like to be briefed by recognized experts in order to make its recommendations more pertinent.

50. The Secretary-General wishes to place on record his gratitude to the members of the Board for the lively exchange of views that took place in Geneva and for the suggestions and recommendations conveyed to him.

Annex

Members of the Advisory Board on Disarmament Matters

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Notes

[a] Participated in the thirtieth session, 16–18 March 1998.

[b] Participated in the thirty-first session, 29 June–1 July 1998.

* Appointed Member of the Board on 1 May 1998.